

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

JUL 24 1995

Date of filing in State Engineer's Office

AUG 08 1995

Returned to applicant for correction

Corrected application filed.....Map filed.....Oct. 05, 1995

The applicant.....M. E. Clingman

155 East 200 South

Salt Lake City

Street and No. or P.O. Box No.

of

City or Town

Utah, 84111

State and Zip Code No.

hereby make^s application for permission to change the

Point of Diversion

Point of diversion, manner of use, and/or place of use

Permit 41543

of water heretofore appropriated under

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

Underground

1. The source of water is.....
Name of stream, lake, underground spring or other source.
2.0 c.f.s., not to exceed 471.8 MGA
2. The amount of water to be changed.....
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....
Quasi-Municipal & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for.....
Quasi-Municipal & Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point.....
NW 1/4 SE 1/4 Section 35, T.36N.,
R.67E., M.D.B. & M., at a point Describe as being within a 40-acre subdivision of public survey and by course and
from which the SE Corner of said Section 35 bears S. 45° 22' 12"
distance to a section corner. If on unsurveyed land, it should be stated.
E., 2981.79 feet
6. The existing permitted point of diversion is located within.....
SW 1/4 NW 1/4 Section 35,
T. 36N., R. 67E., M.D.B. & M., at a point from which the SE Corner
of said Section 35 bears S. 56° 45' E., 4950 feet.
Section 35, T.36N., R. 67E., M.D.B. & M.
7. Proposed place of use.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
& Section 1, T. 35N., R.67E., M.D.B. & M.
Unchanged
8. Existing place of use.....
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from.....
January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from.....
January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.).....
Drilled & cased well equipped with
a motor, pump, meter & distribution system.
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works.....
\$50,000.00
13. Estimated time required to construct works.....
2 years

14. Estimated time required to complete the application of water to beneficial use.....5 years.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

~~.....This application is being filed in order to supply water for a proposed truckstop facility as outlined under Permit 41543. The total combined duty of this application, application to change Permit 41544 and Permit 41545 is not to exceed 547.8 million gallons.....~~

By.....s/- Gregory M. Bilyeu.....
Sierra Resource Engineering, Inc.
P.O. Box 21910
Carson City, Nevada 89721

Compared.....JP/gkl.....dl/cms

Protested 12/14/95, by City of West Wendover,
Pro. Overruled, 4-13-98, Rul. No. 4623

APPROVAL
.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 41543 is issued subject to the terms and conditions imposed in said Permit 41543 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 41545, 61418 and 61419 shall not exceed 547.5 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....2.0.....cubic feet per second, but not to exceed 471.8 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....September 30, 1998

Proof of completion of work shall be filed before.....October 30, 1998

Application of water to beneficial use shall be made on or before.....September 30, 1999

Proof of the application of water to beneficial use shall be filed on or before.....October 30, 1999

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 11th day of June

A.D. 19 98

[Signature]
State Engineer

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under Permit 41543 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.